

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MELVIN CHAPMAN,)	3:03-cv-00364-ECR-WGC
)	
Petitioner,)	
)	
vs.)	<u>Order</u>
)	
CRAIG FARWELL, et al.,)	
)	
Respondents.)	
)	
)	

On October 17, 2005, Petitioner filed a "Petitioner's Declaration of Election to Dismiss Petition" (#45), in which Petitioner requested that his claims be dismissed without prejudice in order to return to state court to exhaust his claims. In accordance with Petitioner's request (#45), the Court dismissed (#46) the claims without prejudice, closed the case administratively, and withheld entry of judgment.

On January 6, 2012, Respondents filed a Motion for Judgment (#47), stating that Petitioner did not file any matters in state court to exhaust his claims. Since five and a half years have passed since Petitioner's representation that he would return to this case after exhausting his claims in state court, Respondents request that we dismiss this case and enter judgment against Petitioner. No response has been timely filed to the Motion (#47).

9 DATED: May 17, 2012.

Edward C. Reed.
UNITED STATES DISTRICT JUDGE